

**IN THE UNITED STATES PATENT AND  
TRADEMARK OFFICE**

**In the application of :** Russell, John Paul  
**Serial No.** : 09/166,814  
**Filed** : October 06, 1998  
**For** : Concatenation of Containers in Synchronous Digital  
Hierarchy Network  
**Examiner** : Tran, Phuc H  
**Art Unit** : 2666

**DECLARATION**


I, James Shields, hereby declare that I am a co-applicant in the above identified patent application and that I am also a co-inventor of the invention that is described and claimed in the above identified patent application. I also hereby declare that prior to April 24, 1998, my co-inventors and I completed the invention that is described and claimed in the above identified patent application as evidenced by the following:

1. Prior to April 24, 1998 my co-inventors and I conceived the invention. At the time of the invention I owed a duty of assignment of the invention to Nortel Networks Inc, hereinafter "Nortel".
2. After my co-inventors and I conceived of the invention and prior to April 24, 1998, my co-inventors and I submitted a description of the invention to the appropriate Nortel patent review committee for purposes of obtaining approval to file a patent application for the invention. A copy of the description of the invention (i.e. our invention disclosure) is attached hereto as Exhibit A (ID0889).
3. In January 1998 my co-inventors and I included the invention within an internal Nortel document entitled 'Saturn-Data ETSI Transport Systems Draft A2 which is attached hereto as Exhibit B. Attention is directed to section 5 of this document commencing at page 20. This document was subsequently circulated within Nortel by electronic mail and such an email dated 23 March 1998 is attached hereto as exhibit C.
4. On July 3, 1998 my co-inventors and I submitted a second description of the invention to the appropriate Nortel patent review committee following discussions with the Nortel patent department. A copy of the description of the invention (i.e. our invention disclosure) is attached hereto as Exhibit

D (our reference ID1048). Attention is drawn to box a on page 2 of this disclosure where the previous disclosure ID0889 (Exhibit A) is referenced.

5. To the best of my knowledge the Nortel patent review committee followed its standard procedures in reviewing and subsequently approving of the filing of a patent application based on our invention disclosure. A copy of an internal Nortel memo approving the filing of the patent application, our reference ID0889 dated January 13, 1998, is attached hereto as Exhibit E.
6. Following the approval of filing of the patent application ID0889 my co-inventors and I had discussions regarding our invention disclosure with the outside patent attorneys and provided additional supporting materials to the patent attorney, all intended to assist the outside patent attorneys in preparing a patent application for the invention. On July 9, 1998 the Nortel patent department approved the filing of a patent application based on the invention disclosure ID1048 (Exhibit D) and a copy of a memo to this effect is attached as Exhibit F.
7. On October 01, 1998 I executed the above identified patent application. A copy of my signed Declaration as filed with the application is attached hereto as Exhibit H.
8. On October 06, 1998 the above identified patent application was filed. A copy of the filing receipt for the application is attached hereto as Exhibit I.

I further hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment or both, under section 1001 of title 18 of the United States code and that such wilful false statements may jeopardise the validity of the application or any patent issued thereon.

Signed:  Dated: 26<sup>th</sup> March 2003  
JAMES SHIELDS